

I applaud the Commission's recent clarification of the permission requirements for sending advertisements by fax. The statute is very clear that "express" permission or request is what allows an advertiser to send a faxed ad. Yet the FCC's prior mistaken interpretation of an established business relationship exception to the TCPA has bolstered some courts' misreading of the law, and junk faxers have falsely claimed permission that did not exist. Your recent interpretation -- that express permission, not merely an established business relationship, is the only way an advertiser can comply with the TCPA -- is consistent with the statute passed by Congress.